

IN THE DRAWINGS:

Please replace the drawings as filed with the substitute sheets attached hereto.

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REMARKS

The Office action of March 21, 2008, has been carefully considered.

Objection has been raised to the abstract and a new abstract has been added to the application.

Objection has also been raised to the format of the specification, and proper subject matter headings have now been added.

Objection has been raised to the drawings as being submitted on paper which is improper. Applicant submits herewith two replacement sheets submitted on appropriate paper.

Objection has been raised to Claim 4 as being in an improper form on the basis that Claim 3 is multiple dependent. However, the multiple dependencies in both Claims 3 and 4 were deleted in the Preliminary Amendment filed concurrently with this application. Hence, Claim 4 should have been examined in the present Office action.

Objection has also been raised to Claims 1-4 based on various language in the claims, and Claims 2 to 4 have been rejected under 35 USC 112, second paragraph. Claims 1-4 have now been canceled and replaced by a new set of Claims 5-10 which have been written in proper form for U.S. practice, using consistent language. Withdrawal of this rejection is requested.

In addition, new claims 11-12 have been added, directed to an orthodontic application in which the improvement comprises the oral mucous membrane protector.

Claims 1-3 have been rejected under 35 USC 102(b) as anticipated by Casey.

Casey discloses a cap assembly provided for covering an oral ligature wire at the ends of the wire that are twisted together. The device includes a pocket in which the wires

will reside after twisting together, and in order to secure the wires in the pocket, two openings to the pocket are generally provided. In the embodiment shown in Figures 9 and 10, however, there is a single opening to the pocket and a loop through which the wires must pass to enter the pocket and which retains the wires in the pocket.

The device of the invention is not utilized to protect wires which are twisted together; rather the device protects the end of an arch projecting from the distal end of a molar tube. The device includes a protective element constructed and arranged to cover and envelop the end of the arch, and fixing means integrally joined to and extending from the protective element and which is constructed and arranged to be fixed to the bracket system surrounding the molar tube behind flaps thereof at the height of the arch. The manner of securing the device is shown clearly in Figure 3 and there is no disclosure or suggestion in Casey of providing a fixing means which is adapted to be attached to the bracket system. Indeed, the device of Casey is secured only to the wires, and not to the bracket system of the appliance.

Withdrawal of this rejection is accordingly requested.

In view of the foregoing amendments and remarks, Applicant submits that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,



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